

DOCKET NUMBER 150

CSD 1100 (10/17/05)

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Attorney for Debtor Francis J. Lopez

UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF CALIFORNIA
 325 West "F" Street, San Diego, California 92101-6991

FILED AC

2008 MAR 12 AM 9:45

CLERK
 U.S. BANKRUPTCY CT
 SD DIST OF CALIF.

104

In Re

FRANCIS J. LOPEZ

BANKRUPTCY NO.

05-05926

Debtor.

AMENDMENT

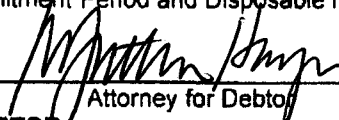
Presented herewith are the original and one conformed copy of the following [Check one or more boxes as appropriate]:

- ☐ Petition
☐ Summary of Schedules
☒ Schedule A & B - Schedule of Real or Personal Property
☒ Schedule C - Schedule of Property Claimed Exempt
☐ Schedule D, E, or F, and/or Matrix, and/or list of Creditors or Equity Holders - REQUIRES COMPLIANCE WITH LOCAL RULE 1009
☐ Adding or deleting creditors (diskette required), changing amounts owed or classification of debt - \$26.00 fee required. See instructions on reverse side.
☐ Correcting or deleting other information. See instructions on reverse side.
☐ Schedule G - Schedule of Executory Contracts & Expired Leases
☐ Schedule H - Schedule of Co-Debtor
☐ Schedule I - Current Income of Individual Debtor(s)
☐ Schedule J - Current Expenditure of Individual Debtor(s)
☐ Statement of Financial Affairs
☐ Statement of Current Monthly Income and Means Test Calculation (Form B22A)
☐ Statement of Current Monthly Income (Form B22B)
☐ Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Form B22C)

Dated:

3/4/08

Signature



Attorney for Debtor

DECLARATION OF DEBTOR

I [We] FRANCIS J. LOPEZ and _____, the undersigned debtor(s), hereby declare under penalty of perjury that the information set forth in the amendment attached hereto, consisting of _____ pages, and on the creditor matrix diskette, if any, is true and correct to the best of my [our] information and belief.

Dated:

3/3/08

Debtor

Joint Debtor

CSD 1100

REFER TO INSTRUCTIONS ON REVERSE SIDE

AMENDED

In re Francis Lopez

Case No. _____

Debtor

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
residence located at 310 Sand Myrtle Trail, Destin, FL 32541. Note: This residence is owned by the debtor and his wife as a Tenancy by the Entireties. Listing of the residence on Schedule A is not an admission that the estate has any rights to the residence. Debtor claims the residence exempt as well under Florida law.	Tenancy by the Entirety with spouse	J	950,000.00	872,367.00

ONLY CHANGE ON
THIS PAGE

Sub-Total > **950,000.00** (Total of this page)

Total > **950,000.00**

(Report also on Summary of Schedules)

0 continuation sheets attached to the Schedule of Real Property

AMENDED

In re **Francis Lopez**

Case No. _____

Debtor

ONLY CHANGE
/ IS THIS COL**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petitioner is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking account, Wachovia Bank, Destin, FL. Note: This account is owned by the debtor and his wife as a Tenancy by the Entireties. Listing of the account on Schedule B is not an admission that the estate has any rights to the funds therein. Debtor claims the funds exempt as well under Florida law.	J	2,000.00
		Checking account, Compass Bank, Destin, FL	J	44.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Household Goods and Furnishings	J	1,500.00
		AV equipment	J	137.50
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, pictures and personal effects	J	1,500.00
6. Wearing apparel.		Wearing apparel	H	500.00
7. Furs and jewelry.		Jewelry	H	100.00
8. Firearms and sports, photographic, and other hobby equipment.		Firearms	J	150.00
		Sports equipment	J	175.00
		Photographic equipment	J	175.00
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Term policy only \$500,000 face amount on Debtor	J	0.00

Sub-Total > **6,281.50**
(Total of this page)

3 continuation sheets attached to the Schedule of Personal Property

AMENDED

In re Francis Lopez

Case No. _____

Debtor

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	NONE	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
10. Annuities. Itemize and name each issuer.	X			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		IRA Citi Smith Barney, Pensacola, FL	H	260.00
13. Stock and interests in incorporated and unincorporated businesses. Itemize.		Prism, Cambria Holdings LLC	H	0.00
14. Interests in partnerships or joint ventures. Itemize.	X			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16. Accounts receivable.	X			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			

ONLY
CHANGE

Sub-Total > **260.00**
(Total of this page)

Sheet 1 of 3 continuation sheets attached
to the Schedule of Personal Property

AMENDED

In re **Francis Lopez**

Case No. _____

Debtor

SCHEDULE B - PERSONAL PROPERTY
(Continuation Sheet)

ONLY CHANGE

Type of Property	NONE	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		Francis Lopez v. Alan Stanly, and related cross-complaint, GIN029692 Superior Court of the state of California, County of San Diego, North County Branch	H	Unknown
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		1995 BMW	H	3,400.00
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.		Office furniture	H	2,500.00
		Computer and office related equipment used in business	H	500.00
29. Machinery, fixtures, equipment, and supplies used in business.	X			
30. Inventory.	X			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			

Sub-Total > **6,400.00**
(Total of this page)

Sheet 2 of 3 continuation sheets attached to the Schedule of Personal Property

• B6B (Official Form 6B) (12/07) - Cont.

AMENDED

In re **Francis Lopez**

Case No. _____

Debtor

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
35. Other personal property of any kind not already listed. Itemize.		Power tools and related	J	87.50

Sheet 3 of 3 continuation sheets attached
to the Schedule of Personal Property

Sub-Total >	87.50
(Total of this page)	
Total >	13,029.00

(Report also on Summary of Schedules)

AMENDED

In re Francis Lopez

Case No. _____

Debtor

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:

☐ Check if debtor claims a homestead exemption that exceeds \$136,875.

(Check one box)

☐ 11 U.S.C. § 522(b)(2)☒ 11 U.S.C. § 522(b)(3)

EACH HAS BEEN CHANGED

CHANGED

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Real Property			
residence located at 310 Sand Myrtle Trail, Destin, FL 32541. Note: This residence is owned by the debtor and his wife as a Tenancy by the Entireties. Listing of the residence on Schedule A is not an admission that the estate has any rights to the residence. Debtor claims the residence exempt as well under Florida law.	11 U.S.C. § 522(b)(3)(B) and Florida Constitution Article 10X s.4	100%	950,000.00
Checking, Savings, or Other Financial Accounts, Certificates of Deposit			
Checking account, Wachovia Bank, Destin, FL. Note: This account is owned by the debtor and his wife as a Tenancy by the Entireties. Listing of the account on Schedule B is not an admission that the estate has any rights to the funds therein. Debtor claims the funds exempt as well under Florida law.	11 U.S.C. § 522(b)(3)(B) and Florida Statutes s. 222.11	100%	4,000.00
Checking account, Compass Bank, Destin, FL	11 U.S.C. § 522(b)(3)(B) and Florida Statutes s. 222.11	100%	88.00
Household Goods and Furnishings			
Household Goods and Furnishings	11 U.S.C. § 522(b)(3)(B) and Florida Constitution Article X s .4	100%	3,000.00
AV equipment	11 U.S.C. § 522(b)(3)(B) and Florida Constitution Article X s .4	100%	275.00
Books, Pictures and Other Art Objects; Collectibles			
Books, pictures and personal effects	11 U.S.C. § 522(b)(3)(B) Florida Constitution Article X s .4	100%	3,000.00
Wearing Apparel			
Wearing apparel	Fla. Const. art. X, § 4(a)(2)	100%	500.00
Furs and Jewelry			
Jewelry	Fla. Const. art. X, § 4(a)(2)	100%	100.00
Firearms and Sports, Photographic and Other Hobby Equipment			
Firearms	11 U.S.C. § 522(b)(3)(B) and Florida Constitution Article X s .4	100%	300.00
Sports equipment	11 U.S.C. § 522(b)(3)(B) and Florida Constitution Article X s .4	100%	350.00
Photographic equipment	11 U.S.C. § 522(b)(3)(B) and Florida Constitution Article X s .4	100%	350.00
Interests in IRA, ERISA, Keogh, or Other Pension or Profit Sharing Plans			
IRA Citi Smith Barney, Pensacola, FL	Fla. Stat. Ann. § 222.21(1) and Florida Statute Section 222.22	100%	260.00

B6C (Official Form 6C) (12/07) -- Cont.

In re **Francis Lopez**

Case No. _____

Debtor

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT
(Continuation Sheet)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<u>Automobiles, Trucks, Trailers, and Other Vehicles</u>			
1995 BMW	Florida Statute Section 222.25	1,000.00	3,400.00
<u>Office Equipment, Furnishings and Supplies</u>			
Office furniture	Fla. Const. art. X, § 4(a)(2)	100%	2,500.00
Computer and office related equipment used in business	Fla. Const. art. X, § 4(a)(2)	100%	500.00
<u>Other Personal Property of Any Kind Not Already Listed</u>			
Power tools and related	11 U.S.C. § 522(b)(3)(B) and Florida Constitution Article X s .4	100%	175.00

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:

Case: **In re: Francis J. Lopez**
Case No: **05-05926-PBINV**

I am employed in the County of Los Angeles, State of California by the LAW OFFICE OF M. JONATHAN HAYES. I am over the age of 18 and not a party to the within action; my business address is 2180 Oxnard Street, Suite 840, Woodland Hills, CA 91367.

On March 6, 2008, I served on interested parties in said action the within:

AMENDMENTS TO SCHEDULES A, B AND C

on all interested parties addressed as follows:

Office of the United States Trustee
402 W. Broadway, Suite 630
San Diego, CA 92101

Leslie T. Gladstone
Bankruptcy Trustee
5580 La Jolla Blvd., Suite 613
La Jolla, CA 92037-7651

L. Scott Keehn
Keehn & Associates
402 W. Broadway, Suite 1210
San Diego, CA 92101

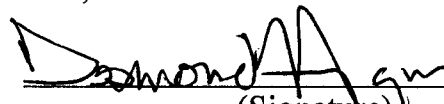
☒ **BY MAIL:** I placed the document(s) for collection and deposit in the mail. I am familiar with this firms' practice for the collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on the same day with the postage thereon fully prepaid at Woodland Hills, California, in the ordinary course of business. The documents served were placed in sealed envelopes and placed for collection and mailing following ordinary business practices.

☐ **BY FASCIMILE:** I caused such document to be delivered by facsimile to the offices

I declare under penalty of perjury under the laws of the state of California and of the United States of America that the foregoing is true and correct.

Executed on March 6, 2008 at Woodland Hills, California.

Desmond Hayes
(Type or print name)


(Signature)